



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

#3

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/077,910 | 02/19/2002 | Patrick R Connolly | BTI-9 |



27152
GRUNEWALD & BASCH, LLP
SUITE 2490
349 WEST COMMERCIAL STREET
EAST ROCHESTER, NY 14445

CONFIRMATION NO. 3152 FORMALITIES LETTER



OC000000007623142

Date Mailed: 03/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

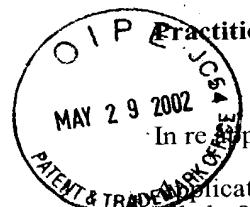
- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

05/31/2002 ANAB11 0000005 10077910

02 FC:205 65.00 -DP

*A copy of this notice **MUST** be returned with the reply.*

Docketed



Practitioner's Docket No. BTI-9

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Connolly, Patrick R.

Application No.: 10/077,910

Filed: 02/19/2002

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Confirmation No: 3152

Group No.:

Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS

In response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, mailed on **March 12, 2002**, attached please find:

(a) the formal drawing(s) for this application.
Number of Sheets: **58**

Each sheet of drawing indicates the identifying indicia suggested in Section 1.84(c) on the reverse side of the drawing.

(b) a copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION.

Date: 5/29/02

Duane C. Basch
Registration No. 34,545
Greenwald & Basch LLP
Suite 2490
349 West Commercial Street
East Rochester, NY 14445
US
585-387-0280
Customer No. 27157

CERTIFICATE OF EXPRESS MAILING (37 C.F.R. section 1.10 (c))

Express Mail Label: EV 092247802 US

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: 5/29/02

Duane C. Basch
(type or print name of person mailing paper)

Signature of person mailing paper

Practitioner's Docket No.: BTI-9

05-30-02

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In reapplication of: **Patrick R. Connelly**

Application No.: **10/077,910**

Filed: **2/19/2002**

For: "**An Electromagnetic Interference Immune Tissue Invasive System**"

Confirmation No: **3152**

Group No.:

Examiner:

**Assistant Commissioner for Patents
Washington, D.C. 20231**

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: **EV 092247802 US**

Date of Deposit: **5/29/02**

I hereby state that the following attached paper or fee:

Certificate of Express Mailing

Petition for Extension of Time-1 Month

Transmittal Form

Newly executed Declaration

Transmittal of Formal Drawings

58 sheets of Formal Drawings

Copy of "Notice to File Missing Parts of Nonprovisional Application"

Return Postcard

Fee Transmittal

Check for \$120.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

PERSON MAILING THE APPLICATION:

**Greenwald & Basch LLP
349 West Commercial Street
Suite 2490
East Rochester, New York 14445
(585) 387-0280**

SIGNATURE OF MAILER:



Howard J. Greenwald, Esq. (Reg. No. 24,247)
 Duane C. Basch, Esq. (Reg. No. 34,545)
 Suzanne T. Stockman
 Dollie C. Masters
 Other: _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

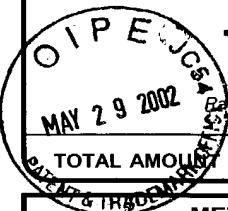
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$120.00)

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | 10/077,910 |
| Filing Date | February 19, 2002 |
| First Named Inventor | Patrick R. Connolly |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | BTI-9 |



METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
 Deposit Account Number **50-1706**
 Deposit Account Name **Greenwald & Basch LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status See 37 CFR 1.27

2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|-------------------------------|----------|
| 101 | 740 | 201 370 Utility filing fee | |
| 106 | 330 | 206 165 Design filing fee | |
| 107 | 510 | 207 255 Plant filing fee | |
| 108 | 740 | 208 370 Reissue filing fee | |
| 114 | 160 | 214 80 Provisional filing fee | |

SUBTOTAL (1) **(\$)**

2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | -20** = | X | = |
| | | | - 3** = | X | = |
| | | | | | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 | 18 | 203 9 Claims in excess of 20 |
| 102 | 84 | 202 42 Independent claims in excess of 3 |
| 104 | 280 | 204 140 Multiple dependent claim, if not paid |
| 109 | 84 | 209 42 ** Reissue independent claims over original patent |
| 110 | 18 | 210 9 ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) **(\$)**

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|---|----------|
| 105 | 130 | 205 65 Surcharge - late filing fee or oath | 65.00 |
| 127 | 50 | 227 25 Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 130 Non-English specification | |
| 147 | 2,520 | 147 2,520 For filing a request for ex parte reexamination | |
| 112 | 920* | 112 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 55 Extension for reply within first month | 55.00 |
| 116 | 400 | 216 200 Extension for reply within second month | |
| 117 | 920 | 217 460 Extension for reply within third month | |
| 118 | 1,440 | 218 720 Extension for reply within fourth month | |
| 128 | 1,960 | 228 980 Extension for reply within fifth month | |
| 119 | 320 | 219 160 Notice of Appeal | |
| 120 | 320 | 220 160 Filing a brief in support of an appeal | |
| 121 | 280 | 221 140 Request for oral hearing | |
| 138 | 1,510 | 138 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 55 Petition to revive - unavoidable | |
| 141 | 1,280 | 241 640 Petition to revive - unintentional | |
| 142 | 1,280* | 242 640 Utility issue fee (or reissue) | |
| 143 | 460 | 243 230 Design issue fee | |
| 144 | 620 | 244 310 Plant issue fee | |
| 122 | 130 | 122 130 Petitions to the Commissioner | |
| 123 | 50 | 123 50 Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 180 Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 40 Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 370 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 370 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 900 Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$120.00)**

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|----------------|-------------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Duane C. Basch | Registration No (Attorney/Agent) | 35,545 | Telephone | 585-387-0280 |
| Signature | | | | Date | 5/29/02 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

AMOUNT OF PAYMENT

(\$120.00)

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | 10/077,910 |
| Filing Date | February 19, 2002 |
| First Named Inventor | Patrick R. Connelly |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | BTI-9 |

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FEES CALCULATION**1. BASIC FILING FEE**

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| 108 | 740 | 208 370 Reissue filing fee | |
| 114 | 160 | 214 80 Provisional filing fee | |

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES**

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | -20** = | X | = |
| | | | -3** = | X | = |
| | | | | | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 | 18 | 203 9 Claims in excess of 20 |
| 102 | 84 | 202 42 Independent claims in excess of 3 |
| 104 | 280 | 204 140 Multiple dependent claim, if not paid |
| 109 | 84 | 209 42 ** Reissue independent claims over original patent |
| 110 | 18 | 210 9 ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEES CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|---|----------|
| 105 | 130 | 205 65 Surcharge - late filing fee or oath | 65.00 |
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| 179 | 740 | 279 370 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 900 Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)** 120.00**SUBMITTED BY****Complete (if applicable)**

| | | | | | |
|-------------------|----------------|--------------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Duane C. Basch | Registration No. (Attorney/Agent) | 35,545 | Telephone | 585-387-0280 |
| Signature | | | | Date | 5/29/02 |

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SF3

Please type a plus sign (+) inside this box →

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

10/077,910

Filing Date

2/19/2002

First Named Inventor

Patrick R. Connelly

Group Art Unit**Examiner Name**

Total Number of Pages in This Submission

10+

Attorney Docket Number BTI-9

ENCLOSURES (check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> See 1 in Addendum |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Request for Refund | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | In response to NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 3/12/2002, applicant herewith encloses 1) the DECLARATION, newly dated and signed by each inventor, 2) a check for \$65.00 for the surcharge for late filing of the DECLARATION, and 3) fifty-eight sheets (58) of substitute drawings in compliance with 37 CFR 1.84. Also enclosed is a Petition for Extension of Time to extend the deadline for reply for one (1) month from 5/12/2002 to 6/12/2002 under the provisions of 37 CFR 1.136 (a). If any additional fees are required, please deduct from Deposit Account 50-1706. |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual name

Duane C. Basch # 34,545; Greenwald & Basch LLP

Signature

Date

5/29/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attachment to (PTO/SB/21) Transmittal Form (continued)



Certificate of Express Mailing
Transmittal Form
Newly dated and signed DECLARATION
Transmittal of Formal Drawings
Copy of NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
Return Postcard
Check for \$120.00